

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.

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Federal Communications Commission  
Office of Secretary

In the Matter of )

Advanced Television Systems )  
And Their Impact Upon the )  
Existing Television Broadcast )  
Service )

MM Docket No. 87-268

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To: The Commission

**PETITION FOR RECONSIDERATION**

The Mississippi Authority for Educational Television (MAET), through its attorneys and pursuant to Section 1.106 of the rules, files herewith its Petition for Reconsideration in the above-referenced proceeding, which adopts a Table of Allotments and associated assignment procedures for digital television (DTV). In support thereof, the following is shown:

1. MAET is the licensee of flagship public television Station WMPN-TV, Jackson, Mississippi, and seven satellite public television stations (WMAB-TV, Mississippi State, MS; WMAE-TV, Booneville, MS; WMAH-TV, Biloxi, MS; WMAO-TV Greenwood, MS; WMAU-TV, Bude, MS ; WMAV-TV, Oxford, MS; and WMAW-TV, Meridian, MS). These stations comprise the eight-station statewide public television network serving all citizens and all regions of the State. Established by the Mississippi Legislature in 1966 as the State agency responsible for "the administration, operation, control and supervision of educational television and radio in Mississippi (Mississippi Code, Section 37-63-1 (1972), MAET has provided a wide variety of educational, cultural, informational and public service programming of benefit to all Mississippians since Station WMPN-TV commenced initial public television service in 1970.

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2. As a preliminary matter, MAET submits that the complexity of DTV allotments, the lack of essential technical information, and the short time frame available to file petitions for reconsideration of the DTV Table make it impossible to analyze current digital assignments and explore acceptable alternatives. MAET has found that the consulting engineering community cannot gear up to run the massive DTV computer program during this 30-day window for seeking consideration. In addition, OET Bulletin No. 69, setting forth interference criteria, has not yet been released. It is impossible for engineers to fully evaluate problems with the current allotments and propose feasible solutions without full technical information, including in particular OET Bulletin No. 69. In short, the television licensee community cannot adequately analyze the Commission's complex proposal in time to offer concrete options. However, MAET can identify its preliminary concerns with respect to the proposed channel allotments for Mississippi's statewide public television stations.

3. The conversion to digital broadcast service is a complex process and broadcasters should be afforded the time to analyze their assignment and investigate alternatives which will enable them to best serve their public. Accordingly, and consistent with the request of the Broadcasters' Caucus Petition filed today, MAET requests that the Commission permit it to supplement this pleading with technical data within 90 days from the release of OET Bulletin No. 69. This supplemental filing period would allow MAET to work with its consulting engineers to further develop feasible solutions. This is clearly preferable to forcing prospective digital licensees to move forward without current and accurate information and submit proposals which turn out to be technically infeasible. That course would waste public time and money, and perhaps delay the roll-out of digital broadcast service.

4. MAET has carefully reviewed the Commission's above-referenced Sixth Report and Order on DTV. MAET commends the Commission for the substantial work reflected in the Table and its recognition of the unique difficulties facing public television stations, especially statewide public television systems such as the Mississippi network. Although MAET strongly endorses the positions advanced in the Joint Petition for Reconsideration and Clarification filed by the Association of America's Public Television Stations (APTS) and the Public Broadcasting Service (PBS), MAET's Petition focuses upon the particular problems posed by multiple DTV assignments for the statewide public television system which fall outside the DTV core spectrum. In this connection, the Commission has variously described this core spectrum as Channels 7-51 or Channels 2-46 (Sixth Report and Order, supra, paras. 2-84). By core spectrum, MAET means assignments between Channels 7 and 46, which will allow public television stations to be in the core irrespective of which core the Commission selects, as proposed today by the Association of America's Public Television Stations and Public Broadcasting Service in their Petition for Reconsideration.

5. The allotments for the Mississippi statewide system which are outside this Channel 7-Channel 46 core include the following:

WMAE-TV, Booneville, MS, proposing use of Channel \*55 as the DTV channel<sup>1</sup>

New proposed station at Clarksdale, Mississippi on Channel \*21, filed September 19, 1996

New proposed station at Cleveland, Mississippi on Channel \*31, filed on September 19, 1996

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<sup>1</sup> While Station WMAE-TV currently operates on Channel \*12 within the Channel 7-46 core, MAET cannot make an informed judgment regarding the most advantageous DTV channel where the proposed DTV channel is located outside that Channel 7-46 core.

New proposed station at Columbia, Mississippi on Channel \*45 filed on July 24, 1996

New proposed station at Columbus, Mississippi on Channel \*43, filed on September 19, 1996

New proposed station at Hattiesburg, Mississippi on Channel \*47 filed on July 24, 1996

New proposed station at Natchez, Mississippi on Channel \*42, filed on September 19, 1996

New proposed station at Yazoo City, Mississippi on Channel \*32 filed on September 19, 1996

The assignment of non-core channels to public television licensees significantly increases the financial risks for these stations and can have adverse effects upon both the ability and the timing of conversion to DTV. There are higher power costs for operating stations above Channel 51. State public television networks like that of Mississippi with multiple assignments outside the core are especially harmed since they will be forced to build multiple stations and then face the difficulties of convincing state legislatures of the need or wisdom of devoting governmental funds to building two DTV stations to serve the same areas within a period of less than ten years.

6. For all of these reasons the Commission should make every effort to provide public television stations with assignments between Channels 7 and 46. Operation on such channels will afford public television stations, and especially public television statewide network systems, the assurances they need to plan for and raise the funds required for DTV conversion. Attached hereto is an Engineering Statement from MAET's consulting engineers, which describes in detail the particular problems posed by the proposed allotment of UHF Channel 55 (outside the core) as the DTV companion for Station WMAE-TV, Booneville, Mississippi. MAET's consulting engineers

have made a preliminary finding that a VHF channel could be used for DTV purposes during the transition. Following the release of OET Bulletin No. 69, MAET intends to supplement this Petition with the necessary technical support for this change of digital channel for Station WMAE-TV.

7. In addition, the Commission should confirm protection of pending applications for reserved channels such as those filed by MAET at Clarksdale, Cleveland, Columbia, Columbus, Hattiesburg, Natchez and Yazoo City. The Commission has indicated that applications filed for reserved channels may be protected for DTV purposes, but has provided no official confirmation of protection of MAET's seven pending proposals, two of which (Hattiesburg and Columbia) propose full station operation in lieu of existing translator service. See also in this connection the attached separate Engineering Statement prepared by MAET's consulting engineers regarding these proposed new public broadcast facilities. Finally, as noted above, MAET has been unable to analyze possible alternative channels within the Channel 7-46 core since OET Bulletin No. 69 has been unavailable and there is insufficient time to conduct necessary engineering and/or negotiations with affected broadcasters. Accordingly, MAET reserves the right to supplement its Petition at an appropriate time when essential information is readily available to complete the technical studies.

Respectfully submitted,

SCHWARTZ, WOODS & MILLER  
1350 Connecticut Avenue, NW  
Suite 300  
Washington, DC 20036  
202-833-1700  
Its Attorneys

June 13, 1997

MISSISSIPPI AUTHORITY FOR  
EDUCATIONAL TELEVISION

By: Robert A. Woods  
Robert A. Woods

By: Steven C. Schaffer  
Steven C. Schaffer

ENGINEERING STATEMENT OF KEITH G. BLANTON OF THE FIRM OF  
KESSLER AND GEHMAN ASSOCIATES, INC., CONSULTING ENGINEERS,  
IN CONNECTION WITH THE DIGITAL TELEVISION ASSIGNMENT TO  
MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION  
LICENSEE OF TELEVISION BROADCAST STATION WMAE-TV NTSC CHANNEL 12  
AT BOONEVILLE, MISSISSIPPI

I, Keith G. Blanton, am an associate of Kessler and Gehman Associates, Inc., with offices in Gainesville, Florida. I have been working in the field of radio and television consulting engineering since 1961. I graduated from Duke University in 1951 with a Bachelor of Science degree in Physics.

This firm has been employed by Mississippi Authority for Educational Television licensee of television broadcast station WMAE-TV operating on channel 12 at Booneville, Mississippi to make engineering studies in connection with the assignment in the 6th Report and Order in MM Docket 87-268 of UHF channel 55 to be used by WMAE for digital television broadcasting. The 6th Report and Order thereby requires that WMAE-TV continue broadcasting on their presently licensed NTSC channel 12 using their licensed equipment and in addition obtain equipment to operate on UHF channel 55 during a transition period after which time they would have to revert to operation on their present channel 12 using digital technology since channel 55 is not in the "Core".

In order for WMAE-TV to operate on DTV channel 55 during the transition period it would be necessary for WMAE-TV to obtain a new UHF DTV transmitter and directional antenna capable of radiating 480.4 kW ERP. In addition the additional expense of operating the higher powered transmitter during the transition period must also be considered. Since WMAE-TV is a noncommercial station these costs would have to be funded by some government agency for it would not be possible for funds of this magnitude to be raised by asking for donations from the viewers within the WMAE-TV service area.

We have made studies that indicate that a certain VHF channel could be used by WMAE-TV for their DTV operation during the transition with minimal if any interference to cochannel and adjacent channel NTSC stations. The operation of WMAE-TV on a VHF DTV channel would enable the licensee to avoid the expenses of purchasing a new UHF

transmitter and antenna for use during the transition period only to discard them at the end of the transition period when they would return to their present NTSC channel 12 for their DTV operation. It is recognized that the assigned channel 55 would not be in the "Core" and therefore could not be used under any circumstances at the end of the transition period.

KESSLER AND GEHMAN ASSOCIATES, INC.

*Keith G. Blanton*

June 12, 1997

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Keith G. Blanton, Consultant

**ENGINEERING STATEMENT OF KEITH G. BLANTON  
OF THE FIRM OF KESSLER AND GEHMAN ASSOCIATES, INC.,  
CONSULTING ENGINEERS, IN CONNECTION WITH THE  
DIGITAL TELEVISION ASSIGNMENTS TO  
MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION  
FOR STATION ASSIGNMENTS APPLIED FOR IN 1996  
IN THE STATE OF MISSISSIPPI**

I, Keith G. Blanton, am an associate of Kessler and Gehman Associates, Inc., with offices in Gainesville, Florida. I have been working in the field of radio and television consulting engineering since 1961. I graduated from Duke University in 1951 with a Bachelor of Science degree in Physics.

This firm has been employed by Mississippi Authority for Educational Television (MAET), applicant for educational television station assignments in several cities in Mississippi to make studies regarding the DTV channel that had been proposed for the use of these stations in the Sixth Report and Order in MM Docket 87-268. In July and September, 1996, MAET filed applications for unused educational television allotments in the following Mississippi cities:

<u>City</u>	<u>Channel</u>	<u>File Number</u>
Natchez	42	BPET-960919KY
Hattiesburg	47	BPET-960724KS
Columbus	43	BPET-960919KL
Cleveland	31	BPET-960919KJ
Yazoo City	32	BPET-960919KK
Clarksdale	21	BPET-960919KM
Columbia	45	BPET-960724KR

Preliminary studies of the Sixth Report and Order indicate that only the Yazoo City channel appears to have been protected. Six of the seven station applications appear to be short-spaced to DTV assignments made in the Sixth Report and Order and therefore do not appear to have been protected in preparing the DTV Table of Allotments.



KESSLER AND GEHMAN ASSOCIATES, INC.

*Keith G. Blanton*

June 12, 1997

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Keith G. Blanton, Consultant